

NOV 17 2009

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JOHN F. CORCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

JOHN EDWARD DAVIS,
Petitioner,

v.

UNITED STATES OF AMERICA
Respondent.

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Civil Action No. 7:06CR00055

FINAL ORDER

By: Hon. James C. Turk
Senior United States District Judge

In accordance with the accompanying Memorandum Opinion, it is hereby

ADJUDGED AND ORDERED

that Respondent's Motions to Dismiss (Dkt. Nos. 91 & 104) are **GRANTED**. Accordingly, the Petitioner's Motion to Vacate Sentence (Dkt. No. 81) is **DENIED**. The Clerk of Court is directed to strike the matter from the court's active docket and to send a copy of this final order and accompanying Memorandum Opinion to Petitioner and counsel of record for the Respondent.

ENTER: This 17th day of November, 2009.

[Signature]
Senior United States District Judge